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ABSTRACT

Lawrence Kohlberg believed children needed to be in an environment that allowed for open and public discussion of day-to-day conflicts and problems to develop their moral reasoning ability. This study examined moral discourse, reflection, and development in a school community with a process similar to that described by Kohlberg. Data were drawn from an extensive set of field notes made in an ethnographic study at an ungraded, democratically structured school where students, ranging in age from 4 to 19, are free to choose their own activities and companions. Guiding questions were: How might participation in such a community influence children's understanding of what it means to be a responsible member of a community? and What opportunities do children have for discussing, learning about, and exerting responsibility? The Sudbury Valley School in Framingham, Massachusetts, which enrolls about 220 students, is a democratic community designed to allow students to pursue their own interests in their own ways. All the students enrolled during the 3 years of the study were potential subjects. Over 3 years, the researcher observed 52 meetings of the Judicial Committee, which investigates violations of school laws. Vignettes were analyzed using grounded theory approach to qualitative analysis, and themes were developed from an analysis of observations of meetings. Each theme describes a participation level that students assume in the process and that provide opportunities for them to develop and deepen understanding of the balance of personal rights and responsibilities within a community. The study adds to the understanding of education and child development by describing a school that differs significantly in its practice from the wider educational community and by validating Kohlberg's thesis about developing moral reasoning. (Contains a table and 17 references.) (BT)

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1

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The Moral Behavior of Children and Adolescents at a Democratic School

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The Moral Behavior of Children and Adolescents at a Democratic School

A fully participatory democratic society relies upon the ability of its members to be responsible, moral citizens. Most of us can agree that, fundamentally, moral behavior is how people behave within the limits, rules, and conventions of the society in which they live (Day & Tappan, 1996). Consequently, a goal of education in a democratic society is for children to develop the ability to make the moral decisions that they will need to make as adults. To do this, the values of schools need to be similar to that of the larger community (Chanoff, 1981). Given this, an important way for children to develop a deeper understanding would be for them to attend democratic schools.

Lawrence Kohlberg (1975, 1985) believed that children needed to be in an environment that allowed for open and public discussion of day-to-day conflicts and problems to develop their moral reasoning ability. Further, he believed these discussions had to reach a resolution in the form of rules agreed to by all. Kohlberg implemented what he called the just community in a number of schools across the country that put this theory into practice (Power, Higgins, & Kohlberg, 1989). However, the just community was developed as a curriculum with an intended outcome for students—to promote their moral development--using democratic processes as a means to that end (Power, Higgins, & Kohlberg, 1989). Some educators (i.e., Chanoff, 1981) argue that Kohlberg's schooling structures fall short the ideal for a participatory democracy.

The goal of the present study was to examine moral discourse, reflection, and development in a school community with a process similar to that described by Kohlberg. Examining how children interact with each other and resolve their mutual conflicts in a community that allows for open and public discussion of day-to-day conflicts and problems informs us about children's moral thought and behavior. The data for this study were drawn from an extensive set of field notes made in an ethnographic study at an ungraded, democratically structured school where students--who range in age from 4 to 19--are free all day to choose their own activities and

companions. The questions guiding this study were: How might participation in such a community influence children's understanding of what is means to be a responsible member of a community? What opportunities do children have for discussing, learning about, and exerting responsibility?

The Setting

The Sudbury Valley School (SVS), an accredited, ungraded day school located in Framingham, MA was founded 32 years ago and presently enrolls approximately 220 students, ranging in age from 4-19. SVS is organized as a participatory democracy in which adults and children of all ages are afforded equal rights, responsibilities, and freedoms. The school's philosophy has been described extensively elsewhere (Greenberg, 1991, 1992). As documented by studies of alumni of the school (Gray & Chanoff, 1986; Greenberg & Sadofsky, 1992), the graduates have been successful by any criteria. Most attended their first choice of college or worked in their first chosen career, and most have reported that they have a high satisfaction with their career (Greenberg & Sadofsky, 1992). Over 30 schools around the world are now based on this model.

The school is fundamentally a democratic community designed to allow students to pursue their own interests in their own chosen ways. The school is legally governed through a weekly School Meeting in which each student (regardless of age) and staff member has one vote. The School Meeting is responsible, for example, for hiring staff (all of whom are hired each year for one-year contracts), passing a budget, electing school officers and administration, and creating school rules. The rules--which are designed to protect the school and to prevent people from interfering with each other's activities--are enforced by the Judicial Committee, a committee which includes representation from across the whole age range of school members. The Judicial Committee--the context for the present study--will be described in more detail in the next section.

The school's educational philosophy is that children learn best when learning is self-directed, when they are responsible for their own decisions, and when they are part of a community where both adults and children are treated with equal respect and afforded equal rights. Students are free to choose their own partners and activities. Students manage their day as they please, pursue whatever activities they choose (including apparent inactivity), and are responsible for the consequences of their decisions. The school offers very few classes and those only at the request of the students. Books, equipment, and staff expertise are available to aid education in a wide variety of subjects and skills, but students are always free to use or not use such resources as they choose.

The Judicial Committee

Sudbury Valley views the judicial process as one of the keystones of the school. The principles of this system were clearly established from the opening of the school--that "due process of law is an essential element in a school embodying the principles of personal liberty, mutual respect, and political democracy (Greenberg, SVS Experience, p. 190)." Thus these principles are firmly grounded in the school as a democratic institution, and the need to create a democratic process that is fair and which protects the rights of the individual as well as the school community.

The Judicial Committee, like many structures of a democratic community, has grown and changed to meet the needs of that community. From the establishment of the Sudbury Valley School in 1968, School Meeting members[1] spent long hours debating and establishing a democratically approved set of school laws and a process by which to regulate them. Because of the small size of student body at that time, alleged violations of school laws were handled by the School Meeting. It was not until the

[1] The term School Meeting members refers to all presently enrolled students and staff. School Meeting members are the only people who can vote at School Meetings.

school's population expanded and it became too time consuming to discuss these issues at the School Meeting that there was a need to create a new structure for this process.[2]

The Judicial Committee is comprised of 8 people: one staff member, two elected student clerks who chair the meetings, and five student jurors representative of the broad age range at the school. The staff member changes daily; the student clerks are elected by the School Meeting to three month terms; the jurors are randomly selected and serve one month terms. The JC itself meets daily, if needed.

There are five steps in the Judicial Committee process: Allegation, Investigation, Charge, Trial, and Sentence. An allegation is made of a perceived violation of school rules, either by a student(s) or staff member(s) against another student(s) or staff member(s). Any student or staff member can write a complaint against any other school member for a perceived infraction of school rules. There is no need to have the complaint come from a 'school official.' The school has forms available for this at a central location. Those filling out forms must state who they are and what the perceived infraction was. Younger students often ask older students or staff members to help them write a complaint. Students and staff refer to writing a complaint as "bringing someone up." Everyone uses this term--new students pick it up right away--though staff and alumni can not remember the origins of the expression.

Second, the JC meets, examines the complaint, and, if the allegation requires further attention, proceeds to investigate the circumstances surrounding the allegation. The JC typically "calls in" the plaintiff, defendant and any witnesses to the alleged incident. The JC--the clerks, the staff member, and/or the jurors--question those involved to get the facts of the situation. Occasionally, if a complaint is against 'unknown,' the JC places the complaint in a voluntary subcommittee whose duty it is to investigate the allegation outside of the normal JC meeting. It is important to highlight that at this stage the JC is

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[2] For a more complete discussion of the history of the Judicial Committee, refer to Greenberg, D., "On Law and Order," The Sudbury Valley School Experience, 1992.

trying to determine the facts of the situation--there is no charge or plea. Further, as the JC is comprised of a cross-selection of ages of school members, the jury is always of one's peers. The research to be presented in this study focuses on children's discussions and actions starting at this stage and continuing until the process is completed.

Third, the JC, if it deems the actions were a violation of school rules, "charges' the defendants. The defendant may or may not be the original defendant on the complaint form. The JC has the authority, after collecting all facts, to charge anyone they deem guilty of violating school rules (In fact, the JC may have determined that the plaintiff was the one who violated school rules). The JC notifies the defendant of the charge, and the defendant enters a plea. The JC writes a statement summarizing the rule violation. If the defendant pleads guilty, he or she signs a form to that effect.

Fourth, if the defendant enters a plea of innocent there is a trial. While this has occurred, it is not frequent (in my three years of observation it occurred once). This is testament to the judicial process and the respect in which students hold it. Allegations are not frivolous, and the JC submits a charge only when it has all of the facts. Further, defendants know that they have been a part of a fair and impartial process. If a trial does occur, both the JC and the accused select someone to try and defend the case, respectively; the judge is the School Meeting chairperson (a student, selected by school meeting members to serve a one-year term, who moderates the School Meeting). Six volunteers with no interest in the case serve as jurors.

Finally, if a guilty plea has been admitted by the defendant (and the defendant has "signed"--that is, given written confirmation that the written statement summarizing the rule violation is correct), a sentence is discussed by the JC. The sentence is recorded and posted to a central bulletin board. As in the United States judicial system, a defendant is assumed innocent until proven guilty, and a defendant's previous record has no bearing on determining guilt or innocence. If the defendant is guilty, the JC can refer, and typically does, to the previous record in determining a sentence.

The School Meeting serves two roles in the JC process. The School Meeting is the official governing body of the school, and so the JC is under the authority of the School Meeting. First, as a further check on the process, all JC complaints in which a guilty plea was entered are listed on the agenda of the weekly School Meeting agenda. The agenda reports the written statement explaining the actions as well as the sentence imposed. Any school meeting member can review any sentence passed by the JC during the School Meeting at which the sentence was reported. It is not uncommon for a school meeting member to ask a question of a sentence or situation, and the School Meeting can overturn a sentence if it deems it important, although that does not often occur. Second, the JC is limited to the severity of sentences it can impose. If an action is deemed severe, or if a defendant has accumulated a high number of complaints, the JC can refer the discussion of the sentence to the School Meeting. In these cases, every member of the School Meeting who attends the meeting can comment and vote on the case.

The School Law Book[3]

The SVS publishes a School Law Book each year; all rules written in the law book have been passed by a majority vote of the School Meeting, and rules can change, be added, or be deleted at any time by the School Meeting during the school year.

The Law Book provides a picture of how the school operates. It is divided into five sections: (1) Rules protecting the general welfare of the school community, (2) Rules governing the use of the school's facilities, (3) Management, (4) The School Meeting, and (5) The Judicial Committee. Sections 2-5 generally describe the rights and responsibilities of different organizational structures (i.e., the JC, SM) and elected

[3] Please note that the Law Book described in the article was in use during the years of this study. It is expected that the Law Book has evolved, as befits a document in a democratic society, but that the spirit or the rules described herein remain the same.

positions at the school (i.e., the School Meeting Chair, the Attendance Clerk) and school committees (i.e., the Admissions Committee) and corporations (special interest groups, like the Computer Corporation).

The section "Rules protecting the general welfare of the school community" is most informative to this paper, as this section outlines the rights and responsibilities governing individual behavior at the school. The section begins with a preamble, which outlines the sprit of the rules to follow:

> All School Meeting members are jointly responsible for the continuing functioning of the school community. It is the individual obligation of each School Meeting member to help promote the general welfare of the school, through actions that contribute to preserving the atmosphere of freedom, respect, fairness, trust, and order that is the essence of the school's existence.

This section itself is divided into four categories of rules: (1) Safety Regulations, (2) Personal Rights and Responsibilities, (3) Protection of Public and Private Property, and (4) General Rules. Each section opens with a general rule, then follows with some more specific rules. For example, two Safety regulations include:

> 100.01 It is prohibited to engage in activities that present a real or potential danger to anyone's personal safety.
>
> 100.03 Unpowered wheeled vehicles may not be ridden in the parking lot.

Personal Rights and Responsibilities includes the following rule, which, to me, is the centerpiece of the school:

> 200.01 No one may knowingly infringe on another's right to engage peaceably in activities at the school, free of verbal or physical harassment, so long as the activities are in accordance with School Meeting resolutions. Something is done "knowingly" if it can reasonably be expected to have been known, or if it is continued after a warning to stop.

For example, if a group of students were involved in an activity in one room, and another group of students entered that room and were talking loudly and otherwise acting in a manner that the original group of students could not continue, those students originally in the room have the right to continue their activities without

disturbance. Those students can request that the disturbing students refrain from making a disturbance. If the disturbing students do not do so, they can be 'brought up.' If they do stop, they are entitled to stay in the room to pursue their own activities--they are just not allowed to pursue their own activities in such a way as to make it impossible for other students to pursue theirs.

The section on Protection of Public and Private Property is similar to Personal Rights and Responsibilities, outlining the rights of property (such as no littering or no use or abuse of someone else's property without permission). The General Rules section includes such regulations as "There shall be no illegal activities on campus".

The population studied

All of the students enrolled at the school during the three years of the study were potential subjects. They ranged in age from 4 to 19 years. The numbers enrolled during each year of the study, broken down by age category and sex, are shown in Table 1.

Insert Table 1 about here

The school has a nonselective admissions policy. Essentially everyone, 4 years or older, who applies and whose family agrees to pay the modest tuition is accepted. As a matter of policy, the school keeps no records on the backgrounds of students or their families and does not permit testing, so we cannot describe the population statistically. However, based on the previously cited surveys of former students and our own informal knowledge of past and present students and their families, we can report the following: The majority of students are white, middle class suburbanites. Most attended a public school for a year or more before enrolling at SVS; very few attended another private school. Some report that they were performing poorly academically in their former school, but at least an equal number report that they were performing well or very well. The students appear to occupy roughly the same range and distribution of

personality and intelligence in other children in the communities that feed into the school. Their most distinguishing characteristics appears to be an orientation toward self-determination, a shared distaste for conventional primary and secondary schooling, and a family that supported or at least tolerated their decision to enroll in a highly unconventional school. Despite their distaste for conventional primary and secondary schooling, roughly 65% to 75% of the graduates surveyed in the follow-up studies went on to formal higher education, and the great majority, whether or not they pursued higher education, are involved in careers that require high skill and/or intellectual ability (Gray & Chanoff, 1986; Greenberg & Sadofsky, 1992).

Data Collection and Selection

The data for this study were taken from field notes collected by the author in an ethnographic study conducted at the school (Feldman, 1997). I conducted observations at SVS for a total of 102 days over three years, 2-3 times per week, 6-8 hours per day. Over the three years, I observed 52 Judicial Committee meetings. The students were aware that I was visiting the school "to learn about what students do at SVS," but were not informed of any specific interest.

My observational method in the ethnographic study was one of reactive participation similar to that described by Corsaro (1991). I did not initiate conversations except as needed to avoid appearing aloof or unfriendly, but did respond honestly to students' questions directed to me and took part in conversations initiated by students. My method of taking field notes was likewise based in a desire to obtain as much information as possible while remaining unobtrusive. In this study of the Judicial Committee, I followed these guidelines. I typically sat at the edges of the room with other (student or staff) observers of the JC. I did not initiate conversations. Nor did I write down what I saw during JC meetings. Instead, shortly after each meeting, I would inconspicuously jot down brief notes about the episode, including the participants' names, the activity they were involved in, and key words and phrases to remind me of

the salient features of the interaction. At the end of the day's observations (or sometimes earlier), I would use the notes to write out more extensive vignettes describing each episode. The vignettes focused on objective features of the interaction, presenting with minimal interpretation the overt activities observed and the comments heard. Over the three years, I prepared 198 such vignettes, each signifying a unique complaint discussed by the JC.

I analyzed the vignettes using methods consistent with the grounded theory approach to qualitative analysis (Glaser & Strauss, 1967; Pidgeon & Henwood, 1997). For each vignette, I developed codes based upon the salient aspects of the interactions; I grouped together codes that were similar in meaning, experimented with coding the vignettes with other codes, and then, based on those trials, redefined the categories.

Results

This paper describes four themes that developed from an analysis of observations of Judicial Committee proceedings. Each theme describes a level of participation that students assume in the process and that provide opportunities for them to develop and deepen their understanding of the balance of personal rights and responsibilities within a community.

Children of all ages have opportunities to participate meaningfully in the process

Children have equal rights and protections

At SVS, children of all ages are afforded equal rights and responsibilities in the community. The rules of the school apply equally to all School Meeting members. Any school meeting member has the same rights to write a complaint against another, to have a complaint written against him or her, and has the same opportunity to participate in a fair and open process. In addition, children of all ages are treated equally in the process. The JC, for example, is required to have representation of

students from each broad age level at the school. Graduates of the school note that this equal protection was something they understood and which made them feel equal to others in the school (see Kingdom of Childhood, 1994).

While all members have the right to participate equally, there are patterns of participation in this process. For example, boys are more likely to write complaints than are girls, and boys are more likely to have complaints written against them than are girls. Staff, as school meeting members, are also subject to school meeting laws. In this sample, two staff members were brought up, and one was found guilty. (For a more detailed discussion of participation patterns in the use of the JC, please refer to Feldman, 1998.)

Children of all ages participate, although at different levels, in the JC process

The main focus of this paper, however, is children's participation in the process of the discussion of complaints brought to the JC. Children have multiple opportunities in which to participate meaningfully in the process. Children can cross-exam or question others, vote on charges, propose sentences, provide testimony, or 'subpoena' others. JC clerks, in particular, also facilitate the meeting, explain charges and sentences to defendants, and counsel others. As one graduate said,

> "The judicial system was really important because it was so obviously justice that you were involved in... You knew how difficult it was. You were on both sides, or all sides, because you might be... a witness, or a complainant, or the alleged violator, or a member of the judicial committee." --Alumna, Kingdom of Childhood, p. 255 (1994).

Further, students of all ages who serve on the JC itself are responsible for attending the JC and for paying attention once there. The JC Clerks must make sure that the rest of the JC agrees with any charge or sentence, and often solicits advice or asks for a formal or informal vote on a decision.

That there are so many roles to fill, all of which are important in the process, allows children to participate at many levels in meaningful ways. For example, younger

children are not necessarily expected to cross exam witnesses (although it has happened). However, they are invaluable in the service of the JC because many complaints involve children of that age. Younger children know who these children are; they know where to find them to bring them to the JC meeting; they often have heard of the incident in discussion; and they bring valuable information about the relationships that younger children have with each other.

For example, when Nathan (age 5) was brought up for teasing Paul (age 7), Michael (age 7) might know that Paul has often teased Nathan in the past, with Nathan unwilling to go to the JC. This information helps the rest of the JC to understand the context of the incident and to understand how the incident fits into the relationships of the children involved. As one JC Clerk said of Michael, "He has his finger on the pulse of the little kids."

Further, that younger children know where other younger children often are is such an invaluable service to the JC that it must be highlighted. Imagine trying to locate a 7-year old boy in a school of over 130 students (the low enrollment at the time of this study), that sits on 10 acres of land. Students do not check in with the JC if they might be called; instead, it is the responsibility of the JC to find all plaintiffs, defendants, and witnesses, and to resolve complaints in a timely manner. In my observations, it was the younger children who found other younger children, and often those same children who went in search of the older ones as well.

Children not on the JC also participate in the process, particularly as witnesses. During one complaint, in which a number of students brought up Juston (14) for shooting rubberbands, Peter H. (13), who was sitting next to me while this debate occurred, leaned towards me and asked me if he were brought up. I told him he was a witness and he said, "I love being a witness because I can tell my side of the story without anyone yelling at me." While not all students show such glea in being a witness, all

students do take their role very seriously. Students are often asked to testify about the behaviors of their friends, and they do so openly.

Since the JC is comprised of a representative student from each age group, there are a variety of models present at the JC on any given day. Not only do children have others of different models to serve as models, but JC members also represent different ways (or levels of development) of thinking about the cases. Children can see how others of a different ages or levels talk about, or react to, different situations. The mixing of ages allows children to see how others just slightly older than them think, while also seeing in younger children ways that they themselves used to think (Feldman, 1997).

The role of staff

While children do play a large role in the JC process, staff perform an important role by modeling different ways of talking to children and thinking about the different situations. Staff presented added deeper layers to the discussion, refusing to take the situation at first glance.

> Adam (8) and Paul (9) were brought up for roughhousing, with Amy (9), Alexis (8), and Rachel (9) as witnesses. It seems Peter was making fun of Adam, who then karate kicked at Paul, and they both ran into the playroom where Adam threw a chair at Paul, and the chair knocked over Amy's (9) rice lunch cup. When asked what Paul was saying, Adam only said, "stuff about my private life." After Paul and Adam told their stories, they went outside to wait. The staff member on the JC that day said that it sounded to him like Paul was teasing Adam, probably about Adam liking somebody, and Adam, to defend his honor, needed to attack Paul, and then the roughhousing continued into the playroom, but that it wasn't really a serious complaint. The JC had wanted to give Paul a tough sentence because of his long history, but the staff member said that this complaint wasn't really that bad. When Paul was brought back, the staff member immediately asked him who he teased Adam about liking, and Paul said Amy. The staff member's intuition about the cause of the 'ruckus' was right on.

When the staff member looked at a complaint and saw a game gone wrong, he was providing deeper insight into the problem that the students were able to do. He forced them to think about what occurred and the motives of the children involved.

Children have the opportunity to participate in discussions about personal responsibility

The JC is a situation in which moral reasoning is made explicit. Because the discussion is explicit, children can learn from it in a concrete way. After all, the discussion is mostly by students about behaviors done by students. Children have the opportunity to see the connections between actions and consequences, and to be a participant in the discussion that links the two. As most complaints discussed in the JC are a discussion on what it means to be responsible in the community, children had many opportunities to discuss different ideas and types of responsibility.

Responsibility entails a recognition of the other person's needs.

> Bob (14) was brought up for disturbing Jeff's (15) activity and playing the classical guitar with a pick. Mindy (15), one JC clerk, read Jeff's complaint and Bob said he couldn't believe that he had been brought up. The complaint read that Bob had come into the music room and had taken a pick from Jeff's case. Bob then proceeded to play the classical guitar. Jeff told him to give the pick back and he wouldn't. Jeff left and when he came back 10 minutes later Bob was still playing. Bob said that, one, it was only a pick and didn't matter and two, he only strummed the guitar once with the pick, the rest of the time he was holding it in his hand. David (7) went to get Jeff who told his story and said that Bob always comes and takes his picks and he never gets them back and they only cost $.25 but... Sasha (18), the other JC clerk, asked Bob if he had the pick and Bob found it in his pockets and gave it to Jeff. Jeff said that what Bob did was an infringement on his rights and he left because of Bob's actions. Bob was found guilty of both disturbing Jeff's activity and of using property without permission, and Jeff left. While Bob signed the complaint and charge sheet he said that Jeff was too uptight, and the staff member agreed. Sasha said that if he knew that he should leave Jeff alone.

This example is typical of many complaints that are brought to the JC in that it involves an alleged infraction on a student's personal rights. In this example, the defendant, the staff member, and the rest of the JC believe that the plaintiff is "too uptight." Yet they recognize that his freedom to pursue his own activities without disturbance was violated by Bob's actions. When Sasha tells Bob that he knows what he was doing was wrong, her actions underscore two points. First, she is acting on her own idea of responsibility, and second, she is telling Bob that since he knows what he did would disturb another, that he was not acting responsibly precisely because he knew it. If he knows that the behavior will upset another person, it is his responsibility to not engage

in that behavior. The JC was less upset with Bob that he broke a school rule than that he did not follow the spirit of the law.

An individual is responsible for how his/her actions influence others

> David (age 8) had brought up Paul (age 9) for stepping on a frog in a nearby park. In the discussion of the incident, David admitted to taunting Paul to do this, although he didn't think that Paul would. Paul pleaded guilty and the JC, because they did not know how to charge someone for this instance, referred Paul to the School Meeting. At first David said he did not dare him but under further examination admitted that he had. Because they hadn't charged Paul specifically for his actions, not knowing what specific rule he had broken, they also did not know how to charge David for his actions. They decided to charge him only with lying to the JC.

In this situation, David did not believe that he was responsible for Paul's actions. It was, he argued, Paul who had committed the act. The students on the JC, however, told David that his actions—his words—influenced Paul's act. Without his teasing, Paul may not have acted as he did. As such, he was an accessory in what Paul did. In this and other examples of JC proceedings, children were held accountable for how their actions affected others. Responsibility is not limited to physical actions, but to the affect of one's behavior on other members of the community.

Interestingly, the JC chose as David's sentence that he must serve on the JC for three days. This was not a typical sentence that was handed out, but did occur, and usually for the same reason. The JC was seen as the place within the school where students could best understand what it meant to behave responsibly within the community.

When should we hold another responsible for their behavior?

> Julie (4) brought up Mia (8) for stepping on her stomach during sledding. Mindy (15), the JC Clerk, asked Mia if she stepped on Julie's stomach. Mia said no. Mindy then asked if she did it by accident. Mia said yes. Sasha (18), the other clerk, asked Julie, who was huddling by the door, to come over, but Julie said no. Finally, Julie walked over holding Serena's (12) hand and sat on Sasha's lap. Sasha asked her what happened and Julie whispered it in her ear. The charge was dropped as Julie said it could have been an accident. Geoffrey (11) asked why little kids always bring up people because of accidents.

As Geoffrey said, this type of example--of children bringing each other up for an accident--is often brought to the JC by young children. However, that the case does not violate school laws does not mean that it is not an instructive example for younger children to understand what it means to act responsibly. As in the other examples, the JC still serves as a way of helping others understand what being responsible means. In this case the alleged violation--stepping on another's stomach--occurred within the context of a game and without intent to cause pain. While Julie might have been hurt or upset about it--and this was probably why she wrote the complaint--that she recognized it as a probable accident shows that she is learning to move past her own feelings to see the larger context of the situation and not hold someone responsible for a reasonable accident.

Students have a personal responsibility to resolve certain situations themselves

> Frank (9) brought up Ed (9) for not giving him back one of his toy men. A staff member handled most of this complaint, asking Frank to tell what happened, and then asking Ed. Ned kept adding things when Ed was talking and the staff member asked him to let Ed finish. Ned (7) was a part of the complaint, as he was hanging out with Frank during it, and he wanted to apologize to Ed for being rude. It seems that Frank and Ned were making Ed do some things he didn't want to do (in the game) to be a part of the game. Ed got mad at that and when he had a chance, he took one of Frank's army men. Frank was then looking for it and Ed said he didn't know where it was. By the time they got back to the main building, Ed relented and told Frank he had taken it. The staff member asked if he then did it because of revenge and Ed said yeah. Hearing Ned apologize again, he asked if they could mediate it, which they did.

In this example, the JC does not need to intervene because the students had worked it out themselves, and did so in a way that was acceptable to both (and to the JC). It is every bit as valid to resolve differences together as to bring them to a third party, especially in this case and the alleged behavior did not violate community norms, but only the parties involved. Part of understanding personal liberty within a community is to understand when personal and/or community rights are violated. Contrast this situation to the following example:

> While the JC was in progress in the seminar room, Geoffrey (12) opened the door and yelled for the JC to see what was happening: Bridget (15) was pulling him

> out of his chair. No one on the JC got up to see it, but about 5 minutes later Bridget wrote a complaint. She said that Geoffrey hit her on the head with a magazine. She explained to the JC that she went to answer the phone and when she got back two minutes later found Geoffrey in her seat. She said she asked Geoffrey to get out of her seat twice and he wouldn't, so she pushed him out (this was the scene that Geoffrey wanted the JC to witness). About five minutes later, Geoffrey bopped her on the head with a magazine. Eve (16) and a staff member, who were in the room at the time, tried to tell Bridget that once you get out of your seat it's not your seat anymore. Bridget said that Geoffrey knew it was her seat and that she just went to get the phone. Geoffrey argued that she pulled him out of the seat and he tried to get the JC to witness it. The JC decided that both were guilty. Bridget couldn't believe that she was guilty of anything and said so. Emily (12), a JC member, told her that she shouldn't have removed Geoffrey from the seat. Bridget said that that had nothing to do with what she brought Geoffrey up for but the clerks and the two older members of the committee all said that it did. Bridget said that she brought Geoffrey up for hitting her with a magazine and that that occurred 5 minutes after the chair stuff and were unrelated, but Adam (14), a JC clerk, told her that it's the same complaint and she was going to be charged. Bridget said she wanted to withdraw the complaint but Adam said she couldn't because the JC had already decided on charges. Geoffrey turned to her and said, "Look what you did now. You got us both in trouble." The JC looked up the records and Bridget said she hadn't been charged all year and so she was warned. Geoffrey received one day off furniture in the sewing room.

There are three differences in this complaint compared to the previous one: (1) the students tried to solve the complaint physically, (2) the students were not remorseful for what they did, and (3) the students were older members of the school community who should know better than to act in these ways. For younger children involved in a complaint, it is important for the JC to show them that they can and should be responsible for themselves, and that they are capable of doing so. Older students should know better, and these students showed no desire to handle their differences reasonably. It appeared, instead, that they were enjoying the roughhousing.

Children have the opportunity to exert responsibility

Responsibility entails fairness and impartiality

> Susan and Robin (both 16), the Judicial Committee clerks, moderated the meeting when Nathan (5) was brought up on a complaint. Nathan, a very 'cute' kid, had been violating school rules consistently during his first year at SVS. Susan and Robin interviewed Nathan and others, as the JC determined that Nathan was guilty of violating a school

> rule--infringing on another student's rights (Nathan was being noisy and would not quiet when asked). Susan and Robin sent Nathan from the room so the JC could decide upon a sentence. When Nathan steeped outside, both Susan and Robin complained to the staff member how difficult it would be to talk to Nathan. They knew they needed to be tough with him and fully explain what he did and why he had to stop, and not let him 'get away with anything' as he often does because 'he's so cute.' After steeling themselves, Nathan returned and Susan proceeded to explain, very gently but with great conviction, why Nathan's behavior was not allowed at SVS, the repercussions of his actions, and the sentence handed to him by the JC. After making sure that Nathan understood the sentence, Nathan left. Susan slumped into her seat, breathed a loud sigh, and said, "That was so tough! He is so cute!"

The Judicial Committee is where the day-to-day discussion of moral issues occurs. JC members are confronted with a number of challenges: determining guilt or innocence; deciding upon an appropriate sentence; and explaining that sentence and its reasoning to the plaintiff(s) and defendant(s). At SVS, like the U.S. judicial system, guilt or innocence is first determined; only after guilt is determined is a sentence given. The above example illustrates less the complexity of the discussion but rather the seriousness and dedication that JC members apply to the task at hand. In this situation, the JC clerks had an opportunity to learn about responsibility—they needed to be fair and impartial with Nathan, not allowing his age and 'cuteness' to sway what they had to do. While they liked him (and in fact were often seen playing with or reading to him), the clerks acted in the best interests of the school community.

Responsibility entails helping others

> After Greg (13) signed the complaint signifying that he agreed that he was guilty of a rule violation, the JC debated what his sentence should be. The clerks (ages 11 and 14) told him that all the complaints against him occurred in the barn (where the computers are) and that the last 5 days he was out of the barn (due to a previous complaint) he had no complaints. They especially wanted to keep him out of the barn as part of his sentence for this reason. A staff member argued that she didn't like that sentence because it was punitive in a way that didn't let him work on the behaviors that got him in trouble in the first place. She said that the sentence does not always have to be directly linked to the crime. She came up with the sentence of not allowing him to talk to anyone on a computer for the next three days, which was readily accepted by all.

In this example, a staff member helps raise the level of debate in the JC by, in a sense, asking the JC to think about its responsibilities to the community they serve. The JC has

a responsibility for keeping order in the community, but it--and thus the children who serve on it--have a responsibility to help others learn from their actions.

Many of the complaints that come to the JC are relatively minor, and sentencing for these complaints is also minor. For example, if a student is found guilty of not cleaning up some materials he or she used, that student may be warned (if a first offense) not to do so again. If it is a second offense, that student may be sentenced to staying out of the room where the infraction occurred for one day. Combining this with the fact that the JC does meet everyday, it is easy to see how the JC might give out sentences in a rote way. As in the example above, staff can serve to remind the JC to think more deeply above their responsibilities.

In the above example, the JC initially raises a sentence of having the defendant remain out of the barn. In their thinking, they see the defendant as having trouble interacting with others in that area. They note both that he has had no complaints filed against him when he was out of the barn, and also had already had a sentence in which he was out of the barn and received no complaints in that time. (Note that it is only during the discussion of a sentence is a subject's previous record examined.) In their thinking, keeping the defendant out of the barn is a way to have him interact without a problem.

Their thinking is pushed by the staff member. Since the defendant has already proved that he does not get in trouble outside of the barn, keeping him from the barn is both punitive and of no help for him to work on the behaviors that get him in trouble in the first place. The sentence of allowing him to stay in the barn but not talk to others is way to enable him to manage his own response to the issues. It is a way to scaffold his behavior--he can be with the people with whom he has trouble interacting, but his interactions are limited. By not being able to talk, he will have to find others ways to communicate with them, and it is likely that he will have to be polite and considerate of others to get them to have the patience to try to understand to him.

Older students are not the only ones who exert responsibility. For example, Erin (age 6), an 'older and more experienced member of the community' in her second year at the school, leads Lisa (age 5) into the JC, holding her hand. This is Lisa's first month at the school, and her first meeting with the JC. Erin leads her to the coach and tells her to sit down, sitting next to her. Lisa leans next to Erin. Erin, still not letting go of Lisa's hands, tells her what to expect. "They'll just ask you what happened," she says, "so just tell them. They are really nice and won't hurt you." When it was time for Lisa's complaint, the Clerk asks her if she left her lunch out. Lisa looks to Erin (still holding her hand), and says yes. The Clerk tells her that that's not allowed at the school, and she should try to remember to clean up. Lisa nods. Finally, the Clerk says that they'll just warn her this time, and tells Lisa about signing on the complaint. Lisa and Erin then leave, with Lisa whispering to Erin, "They were nice!" Erin takes responsibility for helping her friend through a process that she was scared about.

Children have the opportunity to model responsible behavior to other students

Children also assumed a leadership role in reminding others that, as older and more experienced people, they were responsible for how their behaviors affect younger children in the school. Children who took the perspective of their community had the opportunity to not only be role models for younger children, but also to help other older children learn how they should treat younger children. Children saw that they had an influence on the moral decisions and behaviors of others, and they had a responsibility to use that influence.

The story of Beth (age 10) offers an example of how one student changed in her awareness of responsibility toward younger children and provides examples of taking responsibility: for self, for others, and for getting others to act responsibly. Beth was the leader of her group of younger friends—both boys and girls—and often thought of and organized activities for them. Beth clearly enjoyed being a leader and it is possible that she chose to play with younger partners so that she could assume this role. Her younger

friends, in turn, looked up to her and followed her directions because they enjoyed the activities she thought of. By playing with younger children, Beth engaged in the activities she wanted, with partners that she enjoyed playing with, and in ways she might not have been able to play with same-age peers (who might not have so willingly accepted her leadership). She may also have been able to develop her creativity through thinking of new activities for her younger companions.

While Beth clearly assumed a leadership role in her friendship group, she frequently used this role to serve her own whims. Although Beth had the ability to take responsibility for herself and rarely violated school rules, she either did not yet have the ability or did not think that it was her concern to take responsibility for the children who followed her. While Beth was very creative in thinking about different games and activities for her younger friends and while they enjoyed them, she had not made a transition to being a full-fledged leader because she stopped short of taking responsibility for the younger participants.

In one game, Beth suggested to her younger friends that they put on "dress-up" clothes while she took pictures of them. However, the younger children did not pick up the clothes and got in trouble for not cleaning up after themselves. When Sabrina (age 18) heard this, she immediately confronted Beth. Beth said that she wasn't responsible for the clothes because she hadn't brought them out or used them. Sabrina told her that it was her responsibility because she knew the school's rules and the younger children looked up to her. Sabrina realized that being a responsible person in the community required not only that she take care of and provide leadership for younger children, but also that she take responsibility for teaching them to be responsible.

A look at Beth five years later reveals a change. Beth still has a "gang" of younger children that follow her, she still thinks of new and interesting games for them to play, and, yes, they still get into trouble. Now, however, Beth takes responsibility for any problems that arise from the activities she organizes. Beth tries to protect her younger

friends, arguing that any violation of school rules is her responsibility and that she should be the one in trouble—precisely because she is older and knows better.

Discussion

Theorists such as Vygotsky (1978), and Lave and Wenger (1991) suggest that for children to develop into competent adults, they must gradually engage in the actions that represent full participation in adult practices. Taking responsibility for others is a form of preparation for adult roles, and the JC provides opportunities for children of different ages and abilities to participate in a variety of ways in a process that discusses moral issues. That children can participate at different levels in the process allows them to develop an increasingly sophisticated understanding of responsibility and learn what it entails to be a responsible member of a community.

The learning that occurs in the JC is not decontextualized, but is a part of the daily lives of children, about issues and actions that affect them and in which they make the decisions. There is a process in place in which children participate in various roles at various levels, from what Lave and Wenger call peripheral participation (taking little responsibility in the situation) to legitimate participation (taking more responsibility in the situation). Children learn as they assume the roles of finding others to provide testimony to the JC, sharing information about the relationships of the complaintants that may affect the charge, providing witness testimony, cross-examining witnesses, explaining to defendants what they did wrong, or reminding others of their need to act responsibly. Each of these roles places different levels of responsibility on both the teacher and the learner and requires each to understand a new set of role relations. Children learn how to play various roles and gain a sense of what can occur while in these roles.

Central to the ability to participate in a community is the relationship between the more experienced and the less experienced children in the community (Lave & Wenger,

1991). The sharing and teaching from older students (not necessarily by age, but also experience in the community) to newer ones is central to the newcomer's ability to learn. If older students don't take the time to explain the process, engage others in participating in the process, and talk about responsibility in a moral sense, newer students would not be able to learn.

Implications

This study adds to our understanding of education and child development in two ways. First, it describes a school that differs significantly in its practice from the wider educational community, thus furthering our understanding of alternative educational models. Second, Kohlberg has argued that a democratic environment that allows discussion of day-to-day conflicts and problems is necessary for children to develop moral reasoning. SVS provides an opportunity to examine children's understanding of moral behavior in such an environment, but without holding onto predetermined outcomes.

Particularly important is that the goal of the Judicial Committee is to protect the rights of students to engage in activities free of disruption. The process was not created to "teach" but rather arose out of the needs of the community. Perhaps the most compelling aspect of how the JC is able to function as it does, is that it is situated in the experiences of children in the community, and it is a process which they own and shape. It is a process that allows for the give-and-take of ideas in which people learn how to live together in a community.

If a goal of education in a democratic society is for children to develop the ability to make the moral decisions that they will need to make as adults, then the values of schools should be based on the larger societal values. A school that gives children the same rights and responsibilities as adults provides children the opportunity to observe, learn, and participate in those processes and to develop those skills within the context

of their daily lives. As children mature, they participate in the community at levels of escalating responsibility as they develop an increasingly deeper understanding of personal liberty, mutual respect, and political democracy.

Table 1

Number of Male and Female Students, at Each of Four Age Ranges, Enrolled at the School During Each Year of the Study

		Year		
Age range	Sex	'92-'93	'93-'94	'94-'95
4-7	Males	12	11	17
	Females	9	5	9
8-11	Males	9	15	24
	Females	16	16	20
12-15	Males	25	22	30
	Females	17	18	23
16-19	Males	28	29	35
	Females	16	16	22
All ages	Males	74	77	106
	Females	58	55	74

Note. Data are based on the students' ages at the mid-points of each year's observations.

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